IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

WP(C).No. 32356 of 2007(B)

PETITIONER:

MRS.V.C.KOMALAM, (RETIRED/ASST.ENGINEER CORPORATION OF KOCHI), KUMUMPURATH HOUSE, 29/1023, JANATHA ROAD, LANE NO.14, VYTTILA, KOCHI-19.

BY ADV. SRI. POLY MATHAI
SRI. P.CHELLAPPAN

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY ITS SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT, THIRUVANANTHAPURAM.

2. THE CORPORATION OF KOCHI, REPRESENTED BY ITS SECRETARY, ERNAKULAM.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN
SRI,. RAMESH BABU, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 32356 of 2007

Dated this the 31st October, 2007

J U D G M E N T

The petitioner, who retired as Assistant Engineer on 30.4.2002 received Exhibit-P1 memo on 16.10.2007 alleging that four other persons had supplied excess metal for remetalling of the Manakkam Paramba Road and that an amount of Rs.34,797/- was decided to be recovered from those officers. A copy of this memo is produced as Exhibit-P1. Petitioner submitted Exhibit-P2 objection. Petitioner is then met with Exhibit-P3 which confirms the proposal under Exhibit-P1 and seeks recovery from the petitioner also.

3. In my view, the petitioner has an efficacious alternate remedy before the Government. The petitioner may file a revision/appeal or representation before the Secretary of the Local Self Government Department, within a period of one month from today and if it is so filed, the 1st respondent shall look into the same and take a decision , within three months thereafter, after hearing the petitioner and any other affected

parties. Enforcement of Exhibit-P3 in so far as the petitioner is concerned, will be kept in abeyance, until a decision is taken by the Government thereon.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007